

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION**

ROBERT E. BANKS

PLAINTIFF

VERSUS

CIVIL ACTION NO. 5:05cv189DCB-JCS

VALLEY FOODS, INC. AND UNKNOWN ROGERS

DEFENDANTS

ORDER

The plaintiff, an inmate currently incarcerated in the Yazoo County Jail, filed this complaint pursuant to 42 U.S.C. § 1983. The named defendants are Valley Foods, Inc. and Unknown Rogers. Upon review of the plaintiff's complaint, it is hereby,

ORDERED AND ADJUDGED that the Clerk of Court amend the record to reflect that the named defendants are Valley Services, Inc., and Unknown Rogers.

IT IS FURTHER ORDERED that the plaintiff within 20 days of the date of this order shall provide this court with the civil action number of every civil action or appeal which the plaintiff has had dismissed on the grounds that it is frivolous, malicious or fails to state a claim upon which relief may be granted. Plaintiff shall also provide the name of the court and name(s) of defendant(s) in each civil action identified.

IT IS FURTHER ORDERED that the United States District Clerk is hereby directed to issue summons to the defendants as follows: **Betty Cole, Registered Agent For Service of Process for Valley Services, Inc., 4400 Mangum Drive, Flowood MS 39232; and Mr. Rogers, Yazoo County Jail, 95 Mike Espy Drive, Yazoo City MS 39194, requiring a response to the complaints.** The Clerk is directed to attach a copy of this order to each complaint that will be served on the named defendants. The United States Marshal shall serve the same pursuant to

28 U.S.C. § 1915(d).

IT IS FURTHER ORDERED that each defendant file his answer or other responsive pleading in this cause in accordance with the *Federal Rules of Civil Procedure* and the Local Rules of this Court.

IT IS FURTHER ORDERED that subpoenas shall not be issued except by order of the Court. The United States District Clerk shall not issue subpoenas upon request of the pro se litigant, but shall instead forward the request to the Magistrate Judge assigned to this cause for review. The plaintiff shall submit all request for the issuance of subpoenas to this office for review.

The plaintiff should understand that this order allowing process to issue against the above named defendants does not reflect any opinion of this Court that the claims contained in the complaint will or will not be determined to be meritorious.

It is the plaintiff's responsibility to prosecute this case. Failure to advise this Court of a change of address or failure to comply with any order of this Court will be deemed as a purposeful delay and contumacious act by the plaintiff and may result in the dismissal of this case.

THIS the 6th day of February, 2006.

s/ James C. Sumner
UNITED STATES MAGISTRATE JUDGE